

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	ROBERTS et al	) ATTORNEY DOCKET:	40304772
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SERIAL NO.:	10/615,797	) GROUP ART UNIT:	1616
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FILED:	7/10/2003	) EXAMINER:	PRYOR, ALTON NATHANIEL
		)	
TITLE:	METAL COMUNDS, MIXED OR SULPHATED, AS PHOSPHATE BINDERS		
DATE:	October 9, 2007	CUSTOMER NO.:	26565

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(c)**

Applicants hereby submit in accordance with 37 CFR §§ 1.97 - 1.98 as supplemented by MPEP § 609 copies of patents, publications and/or other information of which they are aware and which may be related to the examination of this application, and in respect of which there may be a duty to disclose under 37 CFR § 1.56. A list of all enclosed documents is provided in a Form PTO-1449, transmitted herewith. An explanation for the inclusion of the enclosed foreign language documents is contained herewith.

Presentation of documents listed on enclosed Form PTO-1449 is not an admission that any listed document is prior art under the Patent Statutes and the right is reserved to antedate any material described in the listed documents by a showing under 37 C.F.R. § 1.131 or otherwise.

The information disclosure is being filed prior to the mailing of a final Office Action, in accordance with 37 CFR § 1.97(c). Accordingly, Applicants respectfully request that the statement be considered by the Office in the course of prosecution of the application. In connection with this information disclosure statement, please charge our Deposit Account No. 13-0019 in the amount of \$180.00, in accordance with 37 CFR § 1.17(p). If any additional fees are due in connection with this information disclosure

statement, please charge these additional fees (or credit any overpayment) to our Deposit Account No. 19-1025.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR §1.97(g)), an admission that the information cited is or is considered to be material to patentability, or that no other material information exists.

Among the items of information contained in the information disclosure statement are those first cited by an examiner in a written opinion mailed on July 13, 2007 in corresponding European Case 06013811.2. In the aforementioned written opinion, the following foreign language documents, for which there are no English translations, were cited for principles identified below.

1. DE3801382 A1, Ebner Anlagen & Apparate, & Apparate [DE], August 3, 1989, discloses a calcium sulfate "treated" with a calcium hydroxide solution. The latter is an alkali solution.
2. FR-A-1- 214 473, Rodolfo Publiese, April 8, 1960, discloses cerium sulfate treated with sodium hydroxide.
3. JP 05 208816 A, Sumitomo Metal Mining Co., August 20, 1993, discloses cerium sulfate treated with an alkali solution.
4. Bohuslav Brauner, "Das Atomgewicht des Lanthans" 33:1 Zeitschrift Fur Anorganische Chemie, 317-321 (1902) discloses lanthanum sulfate treated with ammonia, which is an alkali solution.

Respectfully submitted,

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Enclosures:  
Form PTO-1449  
Copies of cited documents